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2 Federal Defender
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6 || Attorneys for Defendant
ROGER BROWN

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

Case No. 1:19-po-00016-SAB

**REVISED STIPULATION TO
CONTINUE ORAL ARGUMENT;
ORDER**

17 **IT IS HEREBY STIPULATED**, by and between the parties, through their respective
18 counsel, Assistant Federal Defender Jaya Gupta, counsel for defendant Roger Brown, and
19 Assistant United States Attorney Jeffrey Spivak, counsel for the government, that the oral
20 argument on Mr. Brown's Motion to Dismiss currently set for February 22, 2022 at 10:00 a.m.
21 be continued to April 28, 2022, and that Mr. Brown's presence at that argument be waived for
22 that appearance only. The parties further stipulate that any supplemental briefing regarding the
23 impact of the warrant issued by this Court on May 20, 2021 on the Motion to Dismiss be filed no
24 later than April 14, 2022.

25 On February 17, 2022, the government asked to continue oral argument on the matter.
26 The Court reset oral argument for February 22, 2022. Defense counsel neglected to remember
27 that she has a conflict relating to an upcoming trial on that date, and requests that oral argument
28 on the motion be heard on a date after her upcoming trial. Additionally, the parties would like to

1 submit supplemental briefing regarding the impact of the warrant issued by this Court on May
2 20, 2021 on Mr. Brown's pending Motion to Dismiss. The parties propose to submit
3 supplemental briefing no later than April 14, 2022.

4 Accordingly, the parties ask the Court to order supplemental briefing to be filed by April
5 14, 2022, and to continue oral argument on Mr. Brown's motion to dismiss to April 28, 2022 at
6 10:00 a.m. The parties further ask that Mr. Brown's presence at that hearing be waived for that
7 appearance only.

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Respectfully submitted,

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HEATHER E. WILLIAMS
Federal Defender

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Date: February 17, 2022

/s/ Jaya Gupta _____
JAYA GUPTA
Assistant Federal Defender
Attorney for Defendant
ROGER BROWN

PHILLIP A. TALBERT
United States Attorney

Date: February 17, 2022

/s/ Jeffrey Spivak _____
JEFFREY SPIVAK
Assistant United States Attorney
Attorney for Plaintiff

ORDER

GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that supplemental briefing regarding the May 20, 2021 warrant be filed no later than April 14, 2022, and that the argument on Defendant Roger Brown's Motion to Dismiss currently set for February 22, 2022 at 10:00 a.m. be continued to April 28, 2022 at 10 a.m. Mr. Brown's presence at that argument is waived for that appearance only.

IT IS SO ORDERED.

Dated: February 18, 2022



UNITED STATES MAGISTRATE JUDGE